

HOFLAND & TOMSHECK

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Attorney for Defendant Hamblin

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

vs.

RUSSELL HAMBLIN,

Defendant.

Case No.: 2:06-CR-00369-JCM-RJJ

**STIPULATION AND ORDER TO
CONTINUE REVOCATION HEARING
(SEVENTH REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Assistant United States Attorney Supriya Prasad, counsel for the United States of America, and Jason F. Carr, Esq., counsel for Defendant RUSSELL HAMBLIN, that the revocation hearing currently scheduled for May 3, 2023 at 10:00 a.m. be continued to a date and time convenient to the Court but not less than thirty-days.

This stipulation is entered into for the following reasons:

1. This is the seventh revocation continuance request but the second request initiated by current defense counsel.
2. That resolving this matter is complicated by the fact a new federal criminal case is proceeding concurrently in District of Nevada case number 2:22-cr-00249-RFB-NJK.
3. That on November 28, 2022, Mr. Hamblin pleaded guilty in that case, pursuant to a written plea agreement. (*See* ECF No. 7 (minutes of proceeding).) The written plea contemplates that the revocation sentence in this matter will run concurrent

1 to the stipulated ten-year sentence in 2:22-cr-00249-RFB-NJK. (See ECF No. 6 at 12,
2 ¶ 18.)

- 3 4. That on March 2, 2023, this Court appointed the undersigned defense counsel. On
4 February 10, 2023, the court in 2:22-cr-00249-RFB-NJK also appointed the
5 undersigned.
- 6 5. That on March 3, 2023, counsel met with Mr. Hamblin at the Nevada Southern
7 Detention Center to determine Mr. Hamblin's litigation goals and to discuss the
8 matter.
- 9 6. That, during that meeting, defense counsel ascertained that Mr. Hamblin would
10 need to review portions of his discovery he does not currently possess. Counsel
11 has since sent that discovery to Mr. Hamlin but has not yet had a chance to review
12 the discovery and matter with him. Counsel is scheduled to visit with Mr.
13 Hamblin on May 2, 2023.
- 14 7. That counsel's ability to meet with Mr. Hamblin before May 2, 2023, was impacted
15 by the need to file an opening brief in the Nevada Supreme Court in *State v. Ross*.
16 That case involved multiple convictions, including one for murder, two complete
17 trials, and litigation that has spanned close to seventeen years.
- 18 8. That Mr. Hamblin's sentencing in the substantive case is set for May 8, 2023. It
19 will be useful to Hamblin, and also concordant with the existing plea negotiations,
20 for the sentencing hearing to proceed before the revocation proceeding.
- 21 9. For the above stated reasons, the parties agree that a continuance of the revocation
22 proceeding is appropriate.
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2 DATED this 28th day of April, 2023.

3 Respectfully submitted,

4 HOFLAND & TOMSHECK

JASON M. FRIERSON
United States Attorney

6 /s/ Jason F. Carr

/s/ Supriya Prasad

7 JASON F. CARR, ESQ.
8 Counsel for Defendant
RUSSELL HAMBLIN

SUPRIYA PRASAD
Assistant United States Attorney

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Attorney for Defendant Hamblin

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Case No.: 2:06-cr-00369-JCM-RJJ

Plaintiff,

vs.

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Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is the sixth revocation continuance request but the first initiated by current defense counsel.
2. That resolving this matter is complicated by the fact a new federal criminal case is proceeding concurrently in District of Nevada case 2:22-cr-00249-RFB-NJK.
3. That on November 28, 2022, Mr. Hamblin pleaded guilty in that case pursuant to a written plea agreement. (*See* ECF No. 7 (minutes of proceeding).) The written plea contemplates that the revocation sentence in this matter will run concurrent to the stipulated ten-year sentence in 2:22-cr-00249-RFB-NJK. (*See* ECF No. 6 at 12, ¶ 18.)

1 4. That on March 2, 2023, this Court appointed the undersigned defense counsel.
2 On February 10, 2023, the court in 2:22-cr-00249-RFB-NJK also appointed the
3 undersigned.

4 5. That on March 3, 2023, counsel met with Mr. Hamblin at the Nevada Southern
5 Detention Center to determine Mr. Hamblin's litigation goals and discuss the
6 matter.
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8 6. That, during that meeting, defense counsel ascertained that Mr. Hamblin
9 would need to review portions of his discovery he does not currently possess.
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11 to review the discovery and matter with him. Counsel is scheduled to visit with
12 Hamblin on May 2, 2023.
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15 will be useful to Mr. Hamblin, and also concordant with the existing plea
16 negotiations, for the sentencing hearing to proceed before the revocation
17 proceeding.
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19 8. That counsel's ability to meet with Mr. Hamblin before May 2, 2023, was
20 impacted by the need to file an opening brief in the Nevada Supreme Court in
21 State v. Ross. That case involved multiple convictions, including one for murder,
22 two complete trials, and litigation that has spanned close to seventeen years.
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24 9. For the above stated reasons, the parties agree that a continuance of the
25 revocation proceeding is appropriate.
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ORDER

Based on the foregoing Findings of Fact and for good cause shown IT IS HEREBY ORDERED, that the Supervised Release Revocation Hearing currently scheduled for May 3, 2023 at 10:00 a.m. be continued to **June 7, 2023 at 11:00 a.m.**

DATED May 1, 2023.


UNITED STATES DISTRICT JUDGE

HOFLAND & TOMSHECK
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